IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Tr.P(C).No. 162 of 2007()

OPDIV.211/2007 of FAMILY COURT,ERNAKULAM

.....

PETITIONER

SHOBHARANI, AGED 24 YEARS, D/O.MOHANDAS,
RESIDING AT KAVVACHIRA, THOYAMMAL,
CHEMMATTAMVAYAL POST, BALLA VILLAGE,
HOSDURG TALUK.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENT:

M.P.PRAKASH, AGED 34 YEARS,
S/O.H.V.KASTHURI PADMANABHAN,
HOUSE NO.6/1360, MAHAJANAVADY,
GUJARATI ROAD, KOCHI.

BY ADV. SRI.SIBI THOMAS JACOB

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.(C)NO. 162 OF 2007

DATED THIS THE 13th DAY OF AUGUST, 2007

ORDER

This transfer petition is filed seeking to transfer O.P.No.211/07 of the Family Court, Ernakulam to the Family Court, Kasaragod where the maintenance case filed as M.C.No.37/07 by the petitioner is pending. According to the petitioner, who is the wife, she has got 2 ½ years old child and there is nobody else for accompanying her to Ernakulam to conduct the case and it will cause her considerable hardship, if the case is permitted to be proceeded with, at Ernakulam. It is also submitted that the respondent is a native of Kanhangad and he frequently visit the same place and therefore it will not be difficult for him to attend the Court there. Though the respondent is served, he has chosen to remain absent and therefore, the averments in the petition remain uncontroverted.

In the light of this coupled with the difficulties explained, which appears to be reasonable to effect a transfer, I am inclined to allow this petition. Therefore, O.P.No.211/07 pending before the Family Court, Ernakulam is transferred to Family Court, Kasaragod for trial where M.C.No.37/07 is pending. Since the respondent has not

appeared before this Court, the Family Court, Ernakulam is directed to intimate the counsel for the respondent before effecting the transfer.

M.N. KRISHNAN, JUDGE

Acd